

m/015/041

Diamond K Gypsum, Inc
1600 S Red Hills Dr.
Richfield, UT 84701
Office 435-896-8870
Fax 435-896-8893

Confidential

RECEIVED

MAY 10 2005

DIV OF OIL GAS & MINING

facsimile transmittal

To: Paul Baker

FAX: 801-359-3940

From: Karen Palmer

Date: 05/10/05

Re:

Pages:

CC:

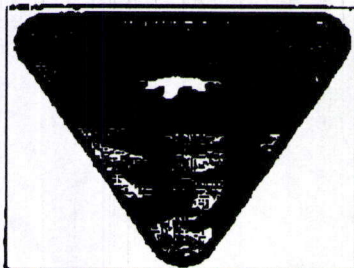
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TELEFAX

MAY 10 2005

DIV OF OIL GAS & MINING



UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
PRICE FIELD OFFICE
125 SOUTH 600 WEST, PRICE UTAH 84501

OUR PHONE NUMBER: (435)636-3600
OUR TELEFAX NUMBER: (435)636-3657

TO: Attention: Karen Palmer
Branch/Office: Diamond K Gypsum, Inc.
Company/Agency: _____
Destination Fax Number: 435-896-8893
FROM: Angela Wadman
SUBJECT: Notice to Proceed
DATE AND TIME: 5/9/05, 11:15 a.m.
NUMBER OF PAGES, INCLUDING THIS COVER SHEET: 5
COMMENTS: _____



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Price Field Office
125 South 600 West
Price, Utah 84501
<http://www.blm.gov/utah/price/>



3809
UTU-69860
(UT-070)

Certified Mail—Return Receipt Requested
Certificate No. 7002 2410 0000 0968 0337

Notice of Decision

RECEIVED

MAY 10 2005

DIV OF OIL GAS & MINING

Karen Palmer
Diamond K Gypsum, Inc.,
1720 South Red Hills Dr.
Richfield, UT 84701

Dear Mrs. Palmer,

Your plan amendment to expand your mine to Area C4 is approved subject to the following conditions:

1. The plan amendment shall be made part of the terms of approval.
2. All other conditions as modified shall continue to remain in effect.
3. Revised Exhibit 1
4. If any Native American concerns arise during Section 106 Consultations, you shall cease all operations immediately until the concern is resolved.

You have the right to appeal to the Utah State Director, Bureau of Land Management, in accordance with 43 CFR 3809.4. If you exercise this right, your appeal accompanied by a statement of reasons and any arguments you wish to present which would justify reversal or modification of this decision, must be filed in writing within 30 days from the date of this decision. This decision will remain in effect during the appeal unless a written request for a stay is granted.

Patrick Gubbins
Field Office Manager

Enclosure: Revised Exhibit 1

cc: Paul Baker, DOGM, 1594 West North Temple, Suite 1210, PO Box 145801, SLC, UT 84114-5801

Revised Exhibit 1

EA Log No.: UT-067-91-04 Lease or Serial No. UTU-69860
Project: Revision of B&I Plan of Operations/Gypsum Mine
Project Location: T.22 S. R.9E. Sec. 29 and Sec. 30
Applicant: Diamond K Gypsum, Inc.
BLM Office: Price Field Office Phone No.: 435-636-3600

The following stipulations have been developed to mitigate adverse environmental impacts which may result from the action permitted by the accompanying decision. The action permitted and its anticipated impacts are fully described in the environmental assessment or categorical exclusion referenced above.

Exhibit 1

1. If subsurface cultural values are exposed during the course of operations, work shall cease at the site and the Price Field Office shall be notified. All employees working in the area shall be informed by the operator that they will be subject to prosecution for disturbing identified cultural sites or picking up artifacts.
2. Disturbed areas shall be recontoured such that an undulating surface is left. The recontoured area shall be furrowed parallel to the contours and such that a roughened surface is left.
3. The following seed mixture shall be used during reclamation at a rate of 6 1/2 pounds per acre.

Grasses/Species

Pounds Per Acre

Indian ricegrass	<u>Oryzopsis hymenoides</u>	2
Needleandthread	<u>Stipa comata</u>	1
Galleta grass	<u>Hilaria jamesii</u>	1

Shrubs & Forbs/Species

Shadscale	<u>Atriplex confertifolia</u>	1/2
Fourwing saltbush	<u>Atriplex canescens</u>	1/2
Winterfat	<u>Eurotia lanata</u>	1/2
Yellow sweet clover	<u>Melilotus officinalis</u>	1/2
Scarlet globemallow	<u>Sphaeralcea coccinea</u>	1/2

Total	<hr/>	6 1/2
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4. No oil, lubricants, or toxic substances shall be drained onto the ground surface.
5. The area shall be kept litter free. Trash shall be collected and contained and shall not be allowed to accumulate. All trash shall be removed and hauled to an authorized dump or landfill.
6. Reclaimed areas shall be fenced if deemed necessary by the authorized officer. Fences shall consist of three strands of barbed wire. Fences shall be removed by the operator when reclamation has been determined to be complete.
7. Stockpiles shall not be allowed outside the pit and the stockpile height shall not exceed in height the original elevation of the land surface.
8. The Price Field Office shall be notified at least 10 days in advance of commencement of any new activity in mine areas C, and D.
9. Reclamation shall be considered to be complete when so determined by the authorized officer. The reclaimed site shall be contoured, seeded and covered with soil amendments and mulch. Reseeding and other methods will be required if revegetation is not successful within five years after reseeding. The revegetation shall be considered to be successful when vegetation density is at least 75 percent of the vegetation density of the surrounding area.

File Code 3809

STIPULATIONS

EA Log No. UT-067-91-04

Lease or
Serial No. U67-P91-04

Project B & J Plan of Operations/Gypsum Mine

Applicant Lanny Jensen

Project 1.22S., R.9E., Sec.29 SW1/4.
Location Sec. 30 SE1/4 SLBAM

Address P.O. Box 416, Richfield, UT 84701

County Emery, Utah

BLM Office San Rafael Resource Area

Phone No. (801) 637-4584

The following stipulations have been developed to mitigate adverse environmental impacts which may result from the action permitted by the accompanying decision. The action permitted and its anticipated impacts are fully described in the environmental assessment or categorical exclusion referenced above.

Exhibit 1

1. If subsurface cultural values are exposed during the course of operations, work shall cease at the site and the San Rafael Resource Area shall be notified. All employees working in the area shall be informed by the operator that they will be subject to prosecution for disturbing identified cultural sites or picking up artifacts.
2. Blasting shall be limited to the daylight hours Monday through Friday.
3. Disturbed areas shall be recontoured such that an undulating surface is left. The recontoured area shall be furrowed with the contour such that a roughened surface is left.
4. The following seed mixture shall be used during reclamation at a rate of 6 1/2 pounds per acre.

Grasses/Species

Pounds Per Acre

Indian ricegrass
Needleandthread
Galleta grass

Oryzopsis hymenoides
Stipa comata
Hilaria jamesii

2
1
1

Shrubs & Forbs/Species

Shadscale
Fourwing saltbush
Winterfat
Yellow sweet clover
Scarlet globemallow

Atriplex confertifolia
Atriplex canescens
Eurotia lanata
Melilotus officinalis
Sphaeralcea coccinea

1/2
1/2
1/2
1/2
1/2

Total 6 1/2

5. No oil, lubricants, or toxic substances shall be drained onto the ground surface.
6. The area shall be kept litter free. Trash shall be collected and contained and shall not be allowed to accumulate. All trash shall be removed and hauled to an authorized dump or landfill.
7. Reclaimed areas shall be fenced if deemed necessary by the authorized officer. Fences shall consist of three strands of barbed wire. Fences shall be removed by the operator when reclamation has been determined to be complete.
8. A cultural inventory shall be completed prior to any surface-disturbing activity occurring in mine area D. If cultural sites are found, mitigating measures will be required.
9. Stockpiles shall not be allowed outside the pit and the stockpile height shall not exceed in height the original elevation of the land surface.
10. The San Rafael Area Office shall be notified at least 10 days in advance of commencement of any new activity in mine areas B, C, and D.
11. Reclamation shall be considered to be complete when so determined by the authorized officer. Reseeding, mulching, and other methods will be required if revegetation is not successful within five years after reseeded. The revegetation shall be considered to be successful when vegetation density is at least 75 percent of the vegetation density of the surrounding area.

Wang 2141D

UT-060-1790-3
July 1986